## **U.S. District Court** Eastern District of Virginia – (Alexandria) CIVIL DOCKET FOR CASE #: 1:18-cv-01301-LO-JFA

Humane Society of the United States et al v. U.S. Fish and

Wildlife Service et al

Assigned to: District Judge Liam O'Grady Referred to: Magistrate Judge John F. Anderson

Cause: 05:552 Freedom of Information Act

**Plaintiff** 

Date Filed: 10/18/2018 Jury Demand: None

Nature of Suit: 895 Freedom of

Information Act

Jurisdiction: U.S. Government Defendant

**Humane Society of the United States** represented by Neal David Mollen

Paul Hastings LLP (DC) 875 15th St NW Washington, DC 20005  $(202)\ 551-1700$ 

Email: nealmollen@paulhastings.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Plaintiff** 

**Humane Society International** represented by Neal David Mollen

> (See above for address) **LEAD ATTORNEY**

ATTORNEY TO BE NOTICED

**Plaintiff** 

**Center for Biological Diversity** represented by Neal David Mollen

> (See above for address) **LEAD ATTORNEY**

ATTORNEY TO BE NOTICED

**Plaintiff** 

**Born Free USA** represented by Neal David Mollen

> (See above for address) LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Defendant** 

U.S. Fish and Wildlife Service represented by **R. Trent McCotter** 

US Attorney's Office (Alexandria–NA)

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NA

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**Defendant** 

**U.S.** Department of the Interior represented by R. Trent McCotter

(See above for address) LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date 1	Filed	#	Docket Text
10/18	3/2018	1	COMPLAINT against U.S. Department of the Interior, U.S. Fish and Wildlife Service (Filing fee \$ 400, receipt number 0422–6322593.), filed by Humane Society of the

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		United States, Humane Society International, Born Free USA, Center for Biological Diversity. (Attachments: # 1 Civil Cover Sheet)(dvanm, ) (Entered: 10/19/2018)
10/19/2018	2	DOCUMENT REMOVED FILED IN ERROR Proposed Summons re <u>1</u> Complaint, <i>US Attorney for the Eastern District of Virginia</i> by Born Free USA, Center for Biological Diversity, Humane Society International, Humane Society of the United States. (Mollen, Neal) (Main Document 2 replaced on 10/22/2018) (dvanm, ). Modified on 10/22/2018 (dvanm, ). (Entered: 10/19/2018)
10/19/2018	<u>3</u>	DOCUMENT REMOVED FILED IN ERROR Proposed Summons re 1 Complaint, <i>Acting Solicitor, U.S. Department of the Interior</i> by Born Free USA, Center for Biological Diversity, Humane Society International, Humane Society of the United States. (Mollen, Neal) (Main Document 3 replaced on 10/22/2018) (dvanm, ). Modified on 10/22/2018 (dvanm, ). (Entered: 10/19/2018)
10/19/2018	4	DOCUMENT REMOVED FILED IN ERROR Proposed Summons re 1 Complaint, <i>Acting Director, U.S. Fish and Wildlife Service</i> by Born Free USA, Center for Biological Diversity, Humane Society International, Humane Society of the United States. (Mollen, Neal) (Main Document 4 replaced on 10/22/2018) (dvanm, ). Modified on 10/22/2018 (dvanm, ). (Entered: 10/19/2018)
10/22/2018		Notice of Correction re <u>4</u> Proposed Summons, <u>3</u> Proposed Summons, <u>2</u> Proposed Summons. The filing user has been notified that documents 2–4 are incorrectly saved PDF fillable form and has been removed. The filing user was directed to refile the documents. (dvanm, ) (Entered: 10/22/2018)
10/22/2018	<u>5</u>	Proposed Summons re 1 Complaint, <i>Daniel Jorjani</i> , <i>Principle Deputy Solicitor</i> , <i>U.S. Department of the Interior</i> by Born Free USA, Center for Biological Diversity, Humane Society International, Humane Society of the United States. (Mollen, Neal) (Entered: 10/22/2018)
10/22/2018	<u>6</u>	Proposed Summons re 1 Complaint, G. Zachary Terwilliger, U.S. Attorney for Eastern District of Virginia by Born Free USA, Center for Biological Diversity, Humane Society International, Humane Society of the United States. (Mollen, Neal) (Entered: 10/22/2018)
10/22/2018	7	Proposed Summons re 1 Complaint, <i>James Kurth, Acting Director, U.S. Fish and Wildlife Service</i> by Born Free USA, Center for Biological Diversity, Humane Society International, Humane Society of the United States. (Mollen, Neal) (Entered: 10/22/2018)
10/23/2018	8	Summons Issued as to U.S. Department of the Interior, U.S. Fish and Wildlife Service, U.S. Attorney and U.S. Attorney General. NOTICE TO ATTORNEY: Print out two electronically issued summons and one copy of the attachments for each defendant to be served with the complaint. (Attachments: # 1 Notice)(dvanm,) (Entered: 10/23/2018)
11/09/2018	9	SUMMONS Returned Executed as to the Department of the Interior and U.S. Fish and Wildlife Service (dvanm, ) (Entered: 11/09/2018)
11/13/2018	<u>10</u>	SUMMONS Returned Executed by Humane Society of the United States. U.S. Attorney's Office served on 11/7/2018, answer due 1/7/2019. (dvanm, ) (Entered: 11/13/2018)
11/14/2018	11	Motion to appear Pro Hac Vice by Charles Patrizia and Certification of Local Counsel Neal Mollen Filing fee \$ 75, receipt number 0422–6363722. by Born Free USA, Center for Biological Diversity, Humane Society International, Humane Society of the United States. (Mollen, Neal) (Entered: 11/14/2018)
11/14/2018	<u>12</u>	Motion to appear Pro Hac Vice by Scott Flicker and Certification of Local Counsel Neal Mollen Filing fee \$ 75, receipt number 0422–6363738. by Born Free USA, Center for Biological Diversity, Humane Society International, Humane Society of the United States. (Mollen, Neal) (Entered: 11/14/2018)
11/14/2018	<u>13</u>	Motion to appear Pro Hac Vice by Noah Simmons and Certification of Local Counsel Neal Mollen Filing fee \$ 75, receipt number 0422–6363755. by Born Free USA, Center for Biological Diversity, Humane Society International, Humane Society of the United States. (Mollen, Neal) (Entered: 11/14/2018)

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11/15/2018	<u>14</u>	ORDER granting 11 Motion for Pro hac vice for Charles Patrizia. Signed by District Judge Liam O'Grady on 11/15/2018. (dest, ) (Entered: 11/16/2018)
11/15/2018	<u>15</u>	ORDER granting 12 Motion for Pro hac vice for Scott Flicker. Signed by District Judge Liam O'Grady on 11/15/2018. (dest, ) (Entered: 11/16/2018)
11/15/2018	<u>16</u>	ORDER granting 13 Motion for Pro hac vice for Noah Simmons. Signed by District Judge Liam O'Grady on 11/15/2018. (dest, ) (Entered: 11/16/2018)
12/03/2018	<u>17</u>	ORDERED that on or before January 7, 2019, Defendants shall file a response to the complaint; it is further ORDERED that if Defendants' response is a dispositive motion, Plaintiffs' opposition brief is due on or before February 4, 2019, and Defendants' reply brief is due on or before February 18, 2019. Signed by District Judge Liam O'Grady on 12/03/2018. (dvanm, ) (Entered: 12/04/2018)
01/04/2019	<u>18</u>	MOTION to Dismiss for Lack of Jurisdiction by U.S. Department of the Interior, U.S. Fish and Wildlife Service. (McCotter, R.) (Entered: 01/04/2019)
01/04/2019	<u>19</u>	MOTION to Dismiss for Failure to State a Claim by U.S. Department of the Interior, U.S. Fish and Wildlife Service. (McCotter, R.) (Entered: 01/04/2019)
01/04/2019	<u>20</u>	MOTION to Strike by U.S. Department of the Interior, U.S. Fish and Wildlife Service. (McCotter, R.) (Entered: 01/04/2019)
01/04/2019	<u>21</u>	Memorandum in Support re 19 MOTION to Dismiss for Failure to State a Claim , 18 MOTION to Dismiss for Lack of Jurisdiction , 20 MOTION to Strike filed by U.S. Department of the Interior, U.S. Fish and Wildlife Service. (McCotter, R.) (Entered: 01/04/2019)
01/04/2019	<u>22</u>	Notice of Hearing Date set for March 1, 2019 re 19 MOTION to Dismiss for Failure to State a Claim , 18 MOTION to Dismiss for Lack of Jurisdiction , 20 MOTION to Strike (McCotter, R.) (Entered: 01/04/2019)
01/07/2019		Set Deadlines as to <u>19</u> MOTION to Dismiss for Failure to State a Claim , <u>18</u> MOTION to Dismiss for Lack of Jurisdiction , <u>20</u> MOTION to Strike . Motion Hearing set for 3/1/2019 at 10:00 AM in Alexandria Courtroom 1000 before District Judge Liam O'Grady. (clar, ) (Entered: 01/07/2019)